

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

VICTOR ACERO,

Defendant.

8:13C114

ORDER

This matter is before the court on the motion to continue trial [60] as counsel needs additional time to investigate the case and discuss a resolution. Counsel also informs the court he will be out of the country the month of June. The government has filed an objection to the continuance [62] The defendant has complied with NECrimR 12.1(a). For good cause shown,

IT IS ORDERED that the objection to continue trial [62] is denied and the motion to continue trial [60] is granted, as follows:

1. The jury trial now set for June 4, 2013 is continued to **July 23, 2013.**

2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and July 23, 2013**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED May 16, 2013.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge